

REMARKS

In the Office Action dated August 6, 2003, the Examiner rejected claims 1, 2, 4, 5, 42-44, and 49 under 35 U.S.C. § 102(b) and rejected claims 3, 6-41, 45-48, and 50 under 35 U.S.C. § 103(a). Claims 1, 8, 30, 34, and 42 have been amended to clarify that the reading recommendation is a recommendation of books to read. Claims 51-63 have been added. No new matter has been added. Additionally, claims 4, 16-18, and 40-41 have been amended to correct errors and antecedent basis.

Applicant respectfully traverses the claim rejections and requests reconsideration.

A. Response to the 35 U.S.C. § 102(b) Rejections

Claims 1, 2, 4, 5, 42-44, and 49 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,017,219 ("Adams"). Applicant respectfully traverses these rejections.

In amended claim 1, Applicant recites an automatic reading system that includes a means for detecting speech of a user who is reading out loud, a means for evaluating the user's reading skill, and a means for making recommendations of books to read based on the evaluating means. Similarly, in amended claim 42, Applicant recites an automatic reading system that includes a client device and a server device. The server device is operable to detect speech from a user reading from a book, evaluate the speech, and provide recommendations of books to read to the user. Thus, the automatic reading system can be used to provide a list of books that would be appropriate for the user's reading level when, for example, a teacher or librarian is unavailable.

(See, e.g., Applicant's Specification, page 3, lines 18-22.)

In contrast, Adams shows a computer-based instruction program that adjusts the portion of the text read by the user and the pace of the lesson based on the proficiency of the user. (See, e.g., Adams, Abstract.) The Office Action states that Adams discloses a means for making reading recommendations with reference to a feedback message database. (See Office Action, page 2.) The feedback message database contains feedback messages that are played to the user to either acknowledge a correct response or to encourage the user to respond again if the user makes an incorrect response. (See Adams, column 7, lines 30-33 and column 9, lines 40-43.) However, the feedback message database does not make a recommendation of books to read. Because Adams does not show making a recommendation of books to read, Adams does not show or suggest each and every element of claims 1 and 42. Accordingly, Applicant submits that Adams does not anticipate claims 1 and 42.

Claims 2, 4, and 5 depend from claim 1. Claims 43, 44, and 49 depend from claim 42. Accordingly, Applicant also submits that Adams does not anticipate claims 2, 4, 5, 43, 44, and 49 for at least the reasons set forth above.

In light of the above, Applicant respectfully requests withdrawal of the rejections under 35 U.S.C. § 102(b).

B. Response to the 35 U.S.C. § 103(a) Rejections

Claims 8-15, 17, 19, 21-29, 34-36, 38-39, and 41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Adams in view of U.S. Patent No. 5,540,589 ("Waters"). In amended claim 8, Applicant recites an automatic reading system that includes a recommendation

device operable to use a score to provide a recommendation of books to read. Similarly, in amended claim 34, Applicant recites a method of providing an automatic reading system that includes providing a recommendation of books to read. As described above, Adams does not show or suggest making a reading recommendation of books to read. Waters fails to overcome this deficiency in Adams.

Waters shows an audio interactive tutor that varies the course of instruction based on correct and incorrect responses of the user. (See, e.g., Waters, Abstract.) The course of instruction is varied so as to repeat and provide positive feedback for poorly-learned items and to periodically refresh well-learned items. (See, e.g., Waters, Abstract.) However, Waters does not suggest making a recommendation of books to read. Because the combination of Adams and Waters does not show or suggest each and every element of claims 8 and 34, claims 8 and 34 are not obvious in light of the combination of Adams and Waters.

Claims 9-15, 17, 19, and 21-29 depend from Claim 8. Claims 35, 36, 38, 39, and 41 depend from Claim 34. Accordingly, Applicant also submits that claims 9-15, 17, 19, 21-29, 35, 36, 38, 39, and 41 are not obvious in light of the combination of Adams and Waters for at least the reasons set forth above.

Claims 3 and 48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Adams in view of U.S. Patent No. 5,697,793 ("Huffman"). Claim 3 depends from claim 1. Claim 48 depends from claim 42. As described above, Adams does not show making a recommendation of books to read. Huffman fails to overcome this deficiency in Adams.

Huffman shows displaying at least one reading metric on an electronic book. (See, e.g., Huffman, Abstract.) The at least one reading metric may be a reading pace, the amount of book

that can be read at the reading pace during the remaining power time, or an estimated completion time for a portion of the book. (See, e.g., Huffman, Abstract.) However, Huffman does not show making a recommendation of books to read. Because the combination of Adams and Huffman does not show or suggest each and every element of claims 3 and 48, claims 3 and 48 are not obvious in light of the combination of Adams and Huffman.

Claim 18 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Adams in view of Waters in further view of Huffman. Claim 18 depends from claim 8. As described above, Adams, Waters, and Huffman do not show or suggest making a recommendation of books to read. Accordingly, Applicant submits that claim 18 is not obvious in light of the combination of Adams, Waters, and Huffman for at least the reasons set forth above.

Claims 6-7, 30, 32-33, 45-47, and 50 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Adams in view of U.S. Patent No. 6,299,452 ("Wasowicz"). In amended claim 30, Applicant recites an automatic reading system that includes a recommendation device operable to use an item score to provide a recommendation of books to read. As described above, Adams does not show or suggest making a recommendation of books to read. Wasowicz fails to overcome this deficiency in Adams.

Wasowicz shows using graphical games to test a user's phonological awareness, phonological processing, and reading skills. (See, e.g., Wasowicz, Abstract). The system shown by Wasowicz may suggest training modules that train a particular phonological awareness, phonological processing skill, or a related reading skill. (See, e.g., Wasowicz, column 3, lines 50-54.) For example, scores may indicate that the child has weak/below average rhyme recognizing skills and a recommender may recommend that the child play the rhyme recognizer training tool

in order to boost the child's rhyme recognition abilities. (See Wasowicz, column 7, lines 54-58.) However, Wasowicz does not show or suggest making a recommendation of books to read. Because the combination of Adams and Wasowicz does not show or suggest each and every element of claim 30, claim 30 is not obvious in light of the combination of Adams and Wasowicz.

Claims 6-7 depend from claim 1. Claims 32-33, 45-47, and 50 depend from claim 30. Accordingly, Applicant also submits that claims 6, 7, 32-33, 45-47, and 50 are not obvious in light of the combination of Adams and Wasowicz for at least the reasons set forth above.

Claims 16, 20, 37, and 40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Adams in view of Waters in further view of Wasowicz. Claims 16 and 20 depend from claim 8. Claims 37 and 40 depend from claim 34. As described above, Adams, Waters, and Wasowicz do not show or suggest making a recommendation of books to read. Accordingly, Applicant submits that claims 16, 20, 37, and 40 are not obvious in light of the combination of Adams, Waters, and Wasowicz for at least the reasons set forth above.

Claim 31 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Adams in view of Wasowicz in further view of Huffman. Claim 31 depends from claim 30. As described above, Adams, Wasowicz, and Huffman do not show or suggest making a recommendation of books to read. Accordingly, Applicant submits that claim 31 is not obvious in light of the combination of Adams, Wasowicz, and Huffman for at least the reasons set forth above.

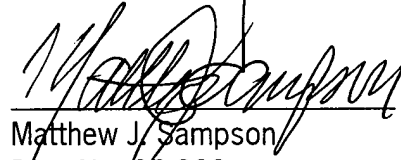
In light of the above, Applicant respectfully requests withdrawal of the rejections under 35 U.S.C. § 103(a).

CONCLUSION

In light of the above amendments and remarks, Applicant submits that the present application is in condition for allowance and respectfully request notice to this effect. The Examiner is requested to contact Applicant's representative below if any questions arise or she may be of assistance to the Examiner.

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Respectfully submitted,



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